



# राजपत्र, हिमाचल प्रदेश

## (असाधारण)

हिमाचल प्रदेश राज्यशासन द्वारा प्रकाशित

शिमला, मंगलवार, 30 अक्टूबर, 1956

**HIMACHAL PRADESH GOVERNMENT**

**LAW DEPARTMENT**

**NOTIFICATION**

*Simla-4, the 26th October, 1956*

No. LR. 50/56.—In pursuance of Section 33-A of the Government of Part 'C' States Act, 1951, the Lieutenant Governor, Himachal Pradesh, is pleased to order the publication of the following English translation of "Himachal Pradesh Phall Poth Utpathan Kashetar Panjiyan Adhiniyam", (The Himachal Pradesh Fruit Nurseries Registration Act) 1956, as passed by the Himachal Pradesh Vidhan Sabha, and assented to by the President on the 12th June, 1956.

By order,  
LAKSHMAN DASS,  
Assistant Secretary (Judicial).

Act No. 10 of 1956

**THE HIMACHAL PRADESH FRUIT NURSERIES REGISTRATION  
ACT, 1956**

(AUTHORISED TEXT)

AN  
ACT

*to provide for the registration of fruit nurseries in Himachal Pradesh*

BE it enacted by the Himachal Pradesh Legislative Assembly in the Seventh

Year of the Republic of India as follows.

**1. Short title, extent and commencement.**—(1) This Act may be called the Himachal Pradesh Fruit Nurseries Registration Act, 1956.

(2) It extends to the whole of the State of Himachal Pradesh.

(3) It shall come into force on such day as the State Government may, by notification, appoint in this behalf.

**2. Definitions.**—In this Act, unless there is anything repugnant in the subject or context,—

(1) 'inspecting officer' means any officer not below the rank of an Agriculture Inspector authorised by the Director of Agriculture for the purpose of inspection of nurseries;

(2) 'nurseryman' means any person engaged in production of fruit plants;

(3) 'plant material' means any propagation material used in raising the plant and includes budwood, scion, root-stock and seeds;

(4) 'prescribed' means prescribed by the rules framed under this Act;

(5) 'State Government' means the Lieutenant Governor of Himachal Pradesh.

**3. Registration.**—It shall be obligatory for the nurseryman engaged in the production and sale of nursery to get himself or his firm registered with the State Government.

**4. Plant material to be utilized for propagation.**—A registered nurseryman or firm of nurserymen shall utilize only such plant material in respect of scion, and root-stock for propagation as may be recommended, from time to time by the State Government.

**5. Record and its Inspection.**—A registered nurseryman or firm of nurserymen shall maintain a complete record of the origin or source of the root-stock, scion and budwood and shall produce the record for inspection on demand by the Director of Agriculture or an Inspecting Officer.

**6. Plots and trees to be kept free from insects, pests and diseases.**—The nursery plots as well as the plants and trees used for the production of nursery plants and trees shall be kept free from insects, pest and diseases as specified in the rules.

**7. Inspection of Nurseries.**—(1) The inspecting officer may inspect the nurseries from time to time, to ensure that the nursery plots, plants and trees used for the production of nursery plants and trees are kept free from insects, pests and diseases, and may direct the nurseryman to remove and destroy the infected or infested plants or trees.

(2) The nurseryman shall on a receipt of such direction in writing remove such plants or trees within the prescribed period.

**8. Packages and their labelling.**—(1) A package or container containing the plant or plants shall be distinctly labelled to designate the kind and variety sold.

(2) In case the package or container contains plants of more than one kind and variety, each individual plant shall be labelled.

(3) The name of root-stock and the scion shall be mentioned on the label.

**9. Maintenance of register.**—(1) Each nurseryman shall maintain a register in the prescribed form containing complete information regarding the plant material sold as well as the name and complete address of the purchaser.

(2) The register shall be preserved by the nurseryman for atleast ten years after the date of the conclusion of the transaction.

**10. Varieties to be propagated for sale.**—(1) The varieties propagated for sale shall be those recommended or approved by the State Department of Agriculture.

(2) If a certain variety or varieties imported or evolved by the nurseryman at his own estate are intended for propagation, the full particulars of such varieties shall be shown to and approved by the Director of Agriculture, or a Gazetted Office authorised by the Director of Agriculture in this behalf, before sale of the variety in question under a distinct or a separate name.

**11. Penalties.**—A nurseryman and in the case of a firm, all the members constituting the firm, shall for a breach of any provisions of this Act, be on conviction punished with fine which may extend to rupees two hundred.

**12. Prosecution by the Director of Agriculture or an authorised officer.**—No prosecution for any offence under this Act shall be instituted except on a complaint in writing made by the Director of Agriculture, Himachal Pradesh, or by an officer not below the rank of an Agriculture Inspector especially authorised by him in this behalf.

**13. Bar to legal proceedings.**—No suit, prosecution or legal proceedings shall lie against any public servant in respect of anything in good faith done or intended to be done under this Act.

**14. Powers to make rules.**—The State Government may make rules for the purpose of carrying into effect the provisions of this Act.

## विधान सभा

अधिसूचनाएं

दिनांक शिमला-4, 30 अक्टूबर, 1956

संख्या बी० एस० 177/55.—गवर्नमेंट आफ़ पार्ट सी स्टेट ऐक्ट, 1951 की धारा 26 की उपधारा (2) के अधीन भारत के राष्ट्रपति महोदय ने दिनांक 29 अक्टूबर, 1956 को हिमाचल प्रदेश विधान सभा द्वारा पारित किए गए निम्नलिखित विधेयक पर स्वीकृति प्रदान कर दी है और उसे अब हिमाचल प्रदेश विधान सभा के प्रक्रिया नियमों के नियम 126 के अधीन सर्वसाधारण की सूचनार्थ इस अधिसूचना द्वारा प्रकाशित किया जाता है।

अधिनियम सं० 15, 1956

# हिमाचल प्रदेश जलप्रदाय अधिनियम, 1956

हिमाचल प्रदेश में देहाती तथा शहरी क्षेत्रों में जलप्रदाय कर्मों के विकास, नियंत्रण तथा प्रबन्ध की व्यवस्था करने का

## अध्यानयम

यह भारत गणतंत्र के सातवें वर्ष में हिमाचल प्रदेश की विधान सभा द्वारा निम्नलिखित रूप में अधिनियमित किया जाये:—

**1. संक्षिप्त नाम, प्रसार तथा प्रारम्भ.**—(1) इस अधिनियम का नाम हिमाचल प्रदेश जलप्रदाय अधिनियम, 1956 होगा।

(2) इस का प्रसार समस्त हिमाचल प्रदेश में होगा।

(3) यह उस दिनांक से प्रचलित होगा जिसे राज्यशासन इस हेतु राजपत्र में अधिसूचना द्वारा नियत करे।

**2. परिभाषाएं.—** विषय या संदर्भ में किसी बात के प्रतिकूल न होने पर, इस अधिनियम में:—

- (1) “लाभधारी (beneficiary)” का किसी भी जलप्रदाय योजना के सम्बन्ध में तात्पर्य ऐसे स्थानीय प्राधिकारी से है जिसे उक्त योजना से तत्समय लाभ पहुंच रहा हो या जिसे लाभ पहुंचना हो;
- (2) “उपभोक्ता (consumer)” का तात्पर्य ऐसे व्यक्ति से है जो किसी ऐसे लाभधारी से पानी लेता हो जिसे जलप्रदाय योजना सौंपी जाए या जो किसी ऐसी जलप्रदाय योजना से पानी लेता हो जिसका प्रबन्ध प्रत्यक्ष रूप में शासन करता हो।

**स्पष्टीकरण :—** उपभोक्ता के अन्तर्गत लाभधारी नहीं है।

- (3) “सहकारी सभा (co-operative society)” का तात्पर्य ऐसी सभा से है जिसका हिमाचल प्रदेश सहकारी सभा अधिनियम, 1956 के उपबन्धों के अधीन पंजीयन हुआ हो।
- (4) “राजपत्र” का तात्पर्य हिमाचल प्रदेश के राजपत्र से है।
- (5) “शासन या राज्यशासन” का तात्पर्य हिमाचल प्रदेश के उपराज्यपाल से है।
- (6) “ग्राम सभा”, “तहसील पंचायत” तथा “ज़िला पंचायत” के वही अर्थ होंगे जो इन शब्दों को क्रमशः हिमाचल प्रदेश पंचायत राज ऐक्ट, 1952 में दिये गये हैं।
- (7) “स्थानीय प्राधिकारी (local authority)” का तात्पर्य सहकारी सभा, ग्राम सभा, तहसील पंचायत, ज़िला पंचायत, म्युनिसिपल कमेटी, स्माल टाऊन कमेटी, नोटीफाउंड एरिया कमेटी से है या अन्य किसी ऐसे प्राधिकारी से है जिसे राज्यशासन ने किसी जलप्रदाय योजना का विकास, नियंत्रण या प्रबन्ध सौंपा हो।
- (8) म्युनिसिपल कमेटी तथा नोटीफाउंड एरिया कमेटी के क्रमशः वही अर्थ होंगे जो इन शब्दों को पंजाब म्युनिसिपल ऐक्ट, 1911, जैसा कि वह हिमाचल प्रदेश में प्रयोज्य है, में दिए गए हैं।
- (9) “विहित (prescribed)” का तात्पर्य इस अधिनियम के अधीन नियमों द्वारा विहित से है।
- (10) “देहाती क्षेत्र (rural area)” का तात्पर्य शहरी क्षेत्र को छोड़ कर हिमाचल प्रदेश के समस्त राज्यक्षेत्र से है।
- (11) “योजना (scheme)” का तात्पर्य धारा 3 के अधीन आरम्भ की गई जलप्रदाय योजना से है।
- (12) “स्माल टाऊन कमेटी” का वही अर्थ है जो इसे पंजाब स्माल टाऊन ऐक्ट, 1921, जैसा कि वह हिमाचल प्रदेश में प्रयोज्य है, में दिया गया है।
- (13) “शहरी क्षेत्र (urban area)” का तात्पर्य अनुसूची में विशिष्ट शहरों से है।
- (14) “जल-कर (water rate)” का तात्पर्य ऐसे शुल्क (charge) से है जो राज्यशासन द्वारा या ऐसे लाभधारी द्वारा, जिसे योजना सौंपी जाए, प्रत्यक्ष रूप में प्रबन्धित जलप्रदाय योजना से किसी उपभोक्ता को प्रदत्त जल के लिए तत्समय आरोपित किया गया हो या भविष्य में आरोपित किया जाए।

**3. जलप्रदाय योजना.—** राज्यशासन हिमाचल प्रदेश राज्य में देहाती तथा शहरी क्षेत्रों में सर्व-साधारण के हित के लिए समय समय पर पेय जलप्रदाय की योजना आरम्भ करेगा और साथ ही साथ विद्यमान जलप्रदायों का संधारण और सुधार भी करेगा।

**4. व्यय की वसूली.—** (1) राज्यशासन पहले सम्पूर्ण राशि हिमाचल प्रदेश की समस्त योजनाओं



और विद्यमान जलप्रदायों का सुधार करने पर व्यय करेगा और यथास्थिति लाभधारियों या उपभोक्ताओं से एतत्पश्चात् व्यवस्थित रीति में वसूल करेगा—

(क) शहरी जलप्रदाय योजनाओं के सम्बन्ध में पूंजी व्यय का 25 प्रतिशत तथा उस पर ब्याज,

(ख) देहाती जलप्रदाय योजनाओं के सम्बन्ध में पूंजी व्यय का 12½ प्रतिशत तथा उस पर ब्याज।

(2) जलप्रदाय योजना का संधारण व्यय तथा प्रतिस्थापन व्यय (cost of maintenance and replacement) राज्यशासन द्वारा यथास्थिति लाभधारियों या उपभोक्ताओं से वसूल किया जायगा तथा यहां से आगे व्यवस्थित रीति के अनुसार वसूल किया जायगा।

(3) पूंजी व्यय पर ब्याज की दर राज्यशासन द्वारा समय समय पर निश्चित की जा सकेगी।

**5. जल-कर आरोपण.—** (1) राज्यशासन पूंजी व्यय, जैसा कि वह धारा 4 की उपधारा (1) के खंड (क) तथा (ख) में विशिष्ट है, तथा संधारण व्यय और प्रतिस्थापन व्यय तथा उस पर ब्याज की वसूली के लिये समय समय पर जल-कर आरोपित करेगा और उक्त जल-कर उस उपभोक्ता द्वारा देय होगा, जिस के नाम से कनेक्शन पंजीयित किया गया है।

परन्तु प्रतिबन्ध यह है कि जल-कर घरेलू प्रयोग के लिये एक हजार गैलन जल पर एक रुपए से अधिक नहीं होगा तथा वाणिज्य प्रयोग के लिए एक हजार गैलन जल पर दो रुपये से अधिक नहीं होगा:

पुनश्च पंप द्वारा प्रदत्त जल (pumped water supply) की दशा में जल-कर परादिक एक में वर्णित जल-कर से दुगुना होगा।

(2) जल-कर विहित रीति से राज्यशासन द्वारा इस हेतु नियुक्त एक समिति के परामर्श से आरोपित किया जायगा।

(3) आरोपित जल-कर, यदि उस समय न चुकाया गया हो जब वह देय हो, तो वह इस प्रकार वसूल किया जायेगा मानो वह भूराजस्व का बकाया था।

**6. जलप्रदाय योजनाएं सौंपना.—** (1) जहां कोई स्थानीय प्राधिकारी, लाभधारी के रूप में किसी योजना को अपने हाथ में लेने तथा संधारण करने के लिए तैयार हो वहां राज्यशासन ऐसी योजना का विकास, प्रबन्ध या नियंत्रण ऐसे स्थानीय प्राधिकारी को सौंप देगा, यदि उसने यथास्थिति धारा 4 की उपधारा (1) के खण्ड (क) तथा खण्ड (ख) के अधीन, देय पूंजी व्यय तथा उस पर ब्याज का अपना भाग और धारा 4 की उपधारा (2) के अधीन देय संधारण व्यय तथा प्रतिस्थापन व्यय जितना कि वह सौंपने के दिनांक को आगणित तथा देय हो, राज्यशासन के पास जमा करा दिया हो।

(2) इस धारा की उपधारा (1) के अधीन ऐसा स्थानीय प्राधिकारी, जो किसी योजना को अपने हाथ में लेता है वह ऐसा जल-कर नियत करेगा जो वह आवश्यक समझे और ऐसी योजना के कुशल प्रबन्ध के लिये उत्तरदायी होगा।

(3) जल-कर (water rate), जो स्थानीय प्राधिकारी नियत करे, किसी भी अवस्था में धारा 5 की उपधारा (1) के पहले परादिक और दूसरे परादिक में व्यवस्थित अधिकतम सीमा से अधिक नहीं बढ़ेगा।

(4) राज्यशासन द्वारा आरोपित जल-कर (water rate), यदि कोई हो, स्थानीय प्राधिकारी द्वारा उक्त कर (rate) नियत होने पर प्रभाव शून्य हो जाएगा।

**7. राज्यशासन द्वारा सामान्य नियंत्रण.—** (1) धारा 6 के अधीन लाभधारियों द्वारा अपने हाथ में ली गई समस्त योजनायें राज्यशासन के सामान्य अधीक्षण तथा नियंत्रण के अधीन होंगी और योजनाओं का कार्य राज्यशासन की एजेंसी द्वारा समय समय पर विहित रीति से निरोक्षणीय होगा।

(2) यदि कोई लाभधारी इस अधिनियम के अधीन या इस के द्वारा सौंपे गए कर्तव्यों का सम्पादन करने में अक्षम रहे या उनका सम्पादन करने में बार बार त्रुटि करे या अपनी शक्तियों से बाहर जाए अथवा उनका दुरुपयोग करे, या योजना का कुशल रूप से संधारण न कर पाए अथवा ऐसा करने में प्रमान्य करे तो राज्यशासन लाभधारी से योजना का विकास, प्रबन्ध तथा नियन्त्रण ऐसी अधिसूचना द्वारा वापस ले सकेगा जिसमें ऐसा करने के कारणों का उल्लेख होगा :

परन्तु उपधारा (2) में वर्णित अधिसूचना देने से पूर्व लाभधारी को प्रस्तावित कार्यवाही के विरुद्ध दोष-निवृत्ति करने का उचित अवसर दिया जाएगा।

(3) जब विकास, प्रबन्ध और नियन्त्रण इस प्रकार वापस ले लिए जाएं तो निम्नलिखित परिणाम भावी होंगे:—

(क) योजना का विकास, प्रबन्ध और नियन्त्रण अधिसूचना के दिनांक से राज्यशासन में निहित हो जाएगा,

(ख) लाभधारी द्वारा आरोपित जल-कर तब तक प्रभावी रहेगा जब तक राज्यशासन द्वारा उसके स्थान पर नया जल-कर नियत नहीं किया जाता।

(4) राज्यशासन ऐसे समयान्तरों पर, जो विहित किए जाएं, स्थिति का पुनर्विलोकन करेगा, किन्तु समयान्तर एक वर्ष से कम नहीं होगा और यदि राज्यशासन उचित समझे तो वह किसी भी समय लाभधारी को योजना फिर से सौंप सकेगा।

**8. उपभोक्ता का दायित्व.—** (1) कोई भी उपभोक्ता, जिस के नाम कोई कनेक्शन पंजीयित किया गया है, लाभधारी को जल-कर देने का उत्तरदायी होगा यदि उस लाभधारी को कोई जल-प्रदाय योजना विकास, प्रबन्ध तथा नियन्त्रण के लिये सौंपी गई हो।

(2) उस दशा में जब कोई लाभधारी न हो और किसी जलप्रदाय योजना का राज्यशासन द्वारा प्रबन्ध किया जा रहा हो तो उपभोक्ता जल-कर राज्यशासन को देने का उत्तरदायी होगा।

**9. राज्यशासन की अनुसूची को रूपान्तरित करने की शक्ति.—** राज्यशासन अनुसूची को बढ़ा सकेगा, संशोधित कर सकेगा, बदल सकेगा या रद्द कर सकेगा।

**10. अधिनियम के अधीन अपराध.—** (1) जो कोई भी उचित प्राधिकार के बिना और जानबूझ कर निम्नलिखित कार्यों में से कोई सा कार्य करे, अर्थात्:—

(क) किसी भी जलप्रदाय योजना का जल इस प्रकार दूषित या खराब करे जिससे वह उस प्रयोजन के लिए जिसके लिए साधारणतया वह प्रयोग में लाया जाता हो, अनुपयुक्त हो जाए;

(ख) किसी जलप्रदाय योजना के अधीन जल की शुद्धता, जलसंग्रहण या जलप्रदाय के लिए राज्यशासन या किसी लाभधारी द्वारा संगठित, भंडित या नियंत्रित किसी बन्ध, कुएं, तटबन्द, जलद्वार, जलाशय, पाइप, नल, संरचना या अन्य कर्मों को नष्ट करे, हानि पहुंचाए, परिवर्तित करे, उन में बाधा डाले, क्षति पहुंचाए;

(ग) इस अधिनियम के अधीन बनाए गए नियमों में से किसी का उल्लंघन करे जिस के उल्लंघन के लिए वह शास्ति का भागी हो जाए, ऐसी श्रेणी के मजिस्ट्रेट के सम्मुख, जो राज्यशासन इस हेतु विहित रीति में निदेशित करे, अपराधी ठहराए जाने पर, ऐसे अर्थदण्ड का भागी होगा जो पचास रुपए से अधिक नहीं होगा या ऐसे कारावास का भागी होगा जो एक मास से अधिक नहीं होगा या दोनों का भागी होगा।

(2) यहां पर व्यवस्थित कोई भी विषय इस अधिनियम के अधीन दण्डनीय किसी अपराध के लिए किसी अन्य विधि के अधीन किसी भी व्यक्ति के विरुद्ध मुकदमा चलाने से नहीं रोक सकेगा परन्तु किसी भी व्यक्ति को एक ही अपराध के लिए दो बार दण्ड नहीं दिया जाएगा।

(3) यहां पर व्यवस्थित कोई भी विषय राज्यशासन को या लाभधारी को जैसी स्थिति हो, उस व्यक्ति से क्षति वसूल करने से नहीं रोक सकेगा जिसने धारा 10 की उपधारा (1) में वर्णित कार्यों में से कोई भी कार्य किया हो।

**11 नियम बनाने की शक्ति.**— (1) राज्यशासन इस अधिनियम के प्रयोजनों को कार्यान्वित करने के लिये नियम बना सकेगा।

(2) विशेषतया तथा पूर्ववर्ती शक्ति की व्यापकता पर प्रतिकूल प्रभाव न डालते हुए इन नियमों द्वारा निम्नलिखित विषय विहित किए जा सकेंगे:—

- (क) वे सिद्धान्त और शर्तें (principles and conditions) जिन के अनुसार धारा 3 के अन्तर्गत योजनायें प्रारम्भ की जायेंगी,
- (ख) धारा 4 के अधीन पंजी व्यय की वस्तुओं का समय तथा रीति,
- (ग) धारा 5 के अधीन समिति को नियुक्ति,
- (घ) ऐसे विषय जिन पर धारा 5 के अधीन नियुक्त समिति द्वारा, धारा 6 के अन्तर्गत जलप्रदाय योजनाओं का लाभधारियों द्वारा कुशल प्रबन्ध होने के सुनिश्चय हेतु, विचार करना अपेक्षित हो, और
- (च) अन्य कोई विषय जो विहित किया जाना हो या विहित किया जाय।

अनुसूची

जिला महासू

ठियोग, रामपुर, सोलन, जुब्बल और अर्की।

जिला सिरमौर

नाहन, सराहन, पाश्चोटा, माजरा और राजगढ़।

जिला चम्बा

चम्बा, भरमौर, चवाड़ी, तीसा और भांदल।

जिला मंडी

मंडी, जोगिन्द्रनगर, सरकाघाट, सुन्दरनगर और करसोग।

जिला बिलासपुर

बिलासपुर और धुमारवीं।

दिनांक, शिमला-4, 30 अक्तूबर, 1956

संख्या बी०एस० 88/56.—गवर्नमेंट आफ पार्ट सी स्टेट ऐक्ट, 1951 की धारा 26 की उपधारा (2) के अधीन भारत के राष्ट्रपति महोदय ने दिनांक 29 अक्तूबर, 1956 को हिमाचल प्रदेश विधान सभा द्वारा पारित किए गए निम्नलिखित विधेयक पर स्वीकृति प्रदान कर दी है और उसे अब हिमाचल प्रदेश, विधान सभा के प्रक्रिया नियमों के नियम 126 के अधीन सर्वसाधारण की सूचनार्थ इस अधिसूचना द्वारा प्रकाशित किया जाता है।

अधिनियम सं० 16, 1956

## हिमाचल प्रदेश पंचायत राज (संशोधन) अधिनियम 1956

हिमाचल प्रदेश पंचायत राज ऐक्ट, 1952, में संशोधन करने का

अधिनियम

यह भारत गणतन्त्र के सातवें वर्ष में हिमाचल प्रदेश की विधान सभा द्वारा निम्नलिखित रूप

में अधिनियमित किया जाए:—

1. संक्षिप्त नाम और प्रारम्भ.—(1) इस अधिनियम का नाम हिमाचल प्रदेश पंचायत राज (संशोधन) अधिनियम, 1956 होगा।

(2) यह तुरन्त प्रचलित होगा।

2. हिमाचल प्रदेश पंचायत राज ऐक्ट, 1952 की धारा 12 में संशोधन.—(1) हिमाचल प्रदेश पंचायत राज ऐक्ट 1952 (जिसे यहाँ से आगे मूल ऐक्ट कहा गया है) की धारा 12 की उपधारा (3) के परादिक में शब्द 'elected' के स्थान पर शब्द 'co-opted or elected as the case may be' रखे जाएँ।

(2) मूल ऐक्ट की धारा 12 की उपधारा (3) के पश्चात् उपधारा (3-A) के रूप में निम्नलिखित उपधारा बढ़ा दी जाए, अर्थात्:—

“(3A) A casual vacancy in the office of a member of the Gram Panchayat arising by reason of his death, removal or resignation shall be filled for the unexpired portion of his term in the prescribed manner.”

3. हिमाचल प्रदेश पंचायत राज ऐक्ट, 1952 (ऐक्ट नं० 6, 1953) की धारा 14 में संशोधन.—मूल ऐक्ट की धारा 14 के स्थान पर निम्नलिखित धारा रखी जाए, अर्थात्:—

“14. *Removal of President, Vice-President or member of the Gram Panchayat.*—(1) The Gram Sabha may, at any general meeting, remove the President, Vice President or a Member of the Gram Panchayat by a majority of two-thirds of those present:

Provided that a previous notice of the resolution is given as prescribed.

(2) If a member of the Gram Panchayat fails to attend three consecutive meetings of the Gram Panchayat, without sufficient cause, he may be removed from membership by the prescribed authority.

(3) No person mentioned in sub-section (1) shall be removed unless he has been given a reasonable opportunity of showing cause against his removal in the prescribed manner.”

4. हिमाचल प्रदेश पंचायत राज ऐक्ट, 1952 (ऐक्ट नं० 6, 1953) में नई धाराओं 37A, 37B, 37C, 37D, 37E, 37F, 37G, 37H का बढ़ाया जाना.—मूल ऐक्ट की धारा 37 के पश्चात् निम्नलिखित नई धाराएं बढ़ा दी जाएँ:—

“37A. *Application for compromise of civil dispute or for composition of criminal case.*—An application for the compromise of a civil dispute or the composition of a criminal case which is compoundable without the permission of the court under the provisions of the Code of Criminal Procedure, 1898,

shall be made in the prescribed form to the Gram Panchayat of the area within the local limits of whose jurisdiction the defendant or the accused, as the case may be, resides.

- 37B. Constitution of a Samjhauta Samiti.**—On receipt of such an application the Pradhan or in his absence Up-Pradhan of the Panchayat shall, in the prescribed manner, constitute a committee to be called Samjhauta Samiti of not less than three and more than five members including himself.
- 37C. Procedure.**—The Samjhauta Samiti shall fix a date on which the parties shall appear and shall make further enquiries as may be necessary and as may be prescribed.
- 37D. Certification of the settlement or otherwise.**—The Samjhauta Samiti shall, after hearing the parties, make efforts to bring about an agreed settlement of the case, and if a settlement is reached, it shall be recorded in writing, signed by the parties, and attested by the Pradhan of the Samjhauta Samiti. If no settlement is reached within three months, the Samiti shall give a certificate to this effect to the parties giving the date of the institution of the application and the date of final certificate.
- 37E. Certificate and its effect.**—(1) A settlement in a civil dispute duly certified under section 37D shall be filed in a Nayaya Panchayat of the Gram Sabha area and shall have the effect of a decree of the Nayaya Panchayat and shall be enforced in the same manner as a decree of the Nayaya Panchayat.
- (2) A settlement in a criminal case duly certified under section 37D shall be conclusive evidence of the composition of the said case.
- 37F. Fee.**—An applicant under section 37 A shall pay the prescribed fee, and the Court Fees Act, 1870 shall not apply to application and proceedings before Samjhauta Samiti except to such extent as may be prescribed.
- 37G. Powers of Samjhauta Samiti.**—A Samjhauta Samiti shall have all the powers of a Nayaya Panchayat under section 91.
- 37H. Imposition of costs.**—If a party to a civil dispute or a case after having due information of the date fixed for hearing, fails to attend or fails to produce evidence or document a Samjhauta Samiti may impose such costs against that party, as may be prescribed, and the order regarding costs shall be enforced as a decree of a Nayaya Panchayat."

बढ़ाया जाना.—मूल ऐक्ट की धारा 42 के पश्चात् निम्नलिखित धारा बढ़ा दी जाए, अर्थात्:—

“42A. *Commutation of tax by labour.*—A Gram Panchayat may, with the consent of the person by whom any tax is payable under this Act, commute the payment into a contribution of labour, not exceeding twenty four units of labour in any one year, at such intervals, for such period of time and on such conditions as may be prescribed.”

*Explanation.*—One unit of labour means four hours of manual labour.

6. हिमाचल प्रदेश पंचायत राज ऐक्ट, 1952 (ऐक्ट नं० 6, 1953) की धारा 48 में संशोधन.—मूल ऐक्ट की धारा 48 के स्थान पर निम्नलिखित धारा रखी जाए, अर्थात्:—

“48. *Constitution of Nayaya Panchayat.*—Every Gram Sabha in a circle shall in the prescribed manner, select fifteen members of prescribed qualifications ordinarily residing within its jurisdiction to be members of the Nayaya Panchayat of that Gram Sabha area and the members so selected shall work as Panches of the Nayaya Panchayat:

Provided that atleast one-fifth of the persons selected by the Gram Sabha shall be such as are able to record proceedings in Hindi:

Provided further that no member of the Gram Panchayat shall be eligible for selection as a member of the Nayaya Panchayat unless he has resigned from the Gram Panchayat before the said selection.”

7. हिमाचल प्रदेश पंचायत राज ऐक्ट, 1952 (ऐक्ट नं० 6, 1953) की धारा 49 में संशोधन.—मूल ऐक्ट की धारा 49 में:—

(अ) शब्द ‘nominated’ के स्थान पर शब्द ‘selected’ रखा जाए,

(आ) शब्द ‘a person who shall act as Sarpanch of the Nayaya Panchayat’ के स्थान पर शब्द ‘for the Nayaya Panchayat a Sarpanch or one or more Naib Sarpanches as may be prescribed’ रखे जाएं।

8. हिमाचल प्रदेश पंचायत राज ऐक्ट, 1952 (ऐक्ट नं० 6, 1953) की धारा 50 में संशोधन.—मूल ऐक्ट की धारा 50 में शब्द ‘nomination’ के स्थान पर शब्द ‘selection’ रखा जाए।

9. हिमाचल प्रदेश पंचायत राज ऐक्ट, 1952 (ऐक्ट नं० 6, 1953) की धारा 51 में संशोधन.—मूल ऐक्ट की धारा 51 में—

(अ) शब्द ‘nominated’ के स्थान पर शब्द ‘selected’ रखा जाए,

(आ) शब्द ‘nomination’ के स्थान पर शब्द ‘selection’ रखा जाए।

10. हिमाचल प्रदेश पंचायत राज ऐक्ट 1952 (ऐक्ट नं० 6, 1953) की धारा 53 में संशोधन.—(1) मूल ऐक्ट की धारा 53 की उपधारा (1) के अंत में निम्नलिखित शब्द जोड़े जाएं, अर्थात्:—

‘provided that no such Panch shall be removed unless he has been given a reasonable opportunity of showing cause against his removal.’

(2) मूल ऐक्ट की धारा 53 की उपधारा (2) में शब्द ‘re-nominated’ के स्थान पर शब्द ‘re-selected’ रखा जाय ।

11. हिमाचल प्रदेश पंचायत राज ऐक्ट, 1952 (ऐक्ट नं० 6, 1953) की धारा 54 में संशोधन.—मूल ऐक्ट की धारा 54 के स्थान पर निम्नलिखित धारा रखी जाय, अर्थात्:—

“54. *Constitution of Benches.*—(1) The Sarpanch, and in his absence the Naib Sarpanch or any other Panch approved by the Sarpanch to act in this behalf shall form Benches of five members each for the trial of cases, suits or proceedings and cases, suits or proceeding, shall be allotted in the prescribed manner to each Bench for trial and decision.

(2) Atleast one of the Panches for each Bench shall be a person who is able to record evidence and proceedings in Hindi.

(3) Every Bench shall be presided over by a Sarpanch or a Naib Sarpanch.

(4) No Panch or Sarpanch or Naib Sarpanch shall take part in any case, suit or proceedings to which he or his near relation, employers or employee or partner in business is a party or in which any of them is personally interested.

*Explanation.*—‘Near relation’ means father, grand father, father-in-law, maternal or paternal uncle, son, grand son, son-in-law, brother, nephew, brother-in-law, wife, sister, sister’s husband, mother, daughter, mother-in-law and daughter-in-law.

(5) A suit, case or proceedings may be tried, heard or decided by any three or more of the five Panches of the Bench and no trial, hearing or decision shall be invalid merely because only three or four of the Panches were present at the trial.

(6) Where more than two of the Panches of each regular Bench cannot hear a case, suit or proceeding in view of the provisions of sub-section (4), the Sarpanch or in his absence the Naib Sarpanch authorized by the Sarpanch in this behalf will form a special Bench of five Panches for the trial.

- (7) Notwithstanding anything in this section the State Government may by rules prescribe the constitution of a special Bench for determining any dispute arising between any parties or Gram Sabhas of the same circle or different circles or for any other purpose."

12. हिमाचल प्रदेश पंचायत राज ऐक्ट, 1952 (ऐक्ट नं० 6, 1953) में नई धारा 55A का रखा जाना. — मूल अधिनियम की धारा 55 के पश्चात् निम्नलिखित धारा रखी जाए, अर्थात्—

"55A.—*Entertainment of a civil suit or a criminal case.*—The Nayaya Panchayat shall not entertain a civil suit or a criminal case unless an application under section 37A has been filed before the Gram Panchayat and until three months have expired since the filing of the application."

13. हिमाचल प्रदेश पंचायत राज ऐक्ट, 1952 (ऐक्ट नं० 6, 1953) की धारा 56 में संशोधन.—मूल अधिनियम की धारा 56 की उपधारा (2) में जहाँ कहीं शब्द 'circle' आता है उस के स्थान पर शब्द 'Gram Sabha area' रखे जाएँ ।

14. हिमाचल प्रदेश पंचायत राज ऐक्ट, 1952 (ऐक्ट नं० 6, 1953) की धारा 58 में संशोधन.—मूल अधिनियम की धारा 58 की उपधारा (2) में परादिक का लोप कर दिया जाए ।

15. हिमाचल प्रदेश पंचायत राज ऐक्ट, 1952 (ऐक्ट नं० 6, 1953) की धारा 71 में संशोधन. मूल अधिनियम की धारा 71 के परादिक में शब्दों 'in any court' और 'shall be excluded' के बीच में शब्द 'or any Samjhauta Samiti' रखे जाएँ ।

16. हिमाचल प्रदेश पंचायत राज ऐक्ट, 1952 (ऐक्ट नं० 6, 1953) की धारा 92 में संशोधन.—मूल अधिनियम की धारा 92 के स्थान पर निम्नलिखित धारा रखी जाए, अर्थात्—

"92. *Appeal.*—(1) Any person aggrieved by an order or decision of a Bench of the Nayaya Panchayat may appeal in the prescribed manner and within a period of thirty days from the date of such order or decision to the full Bench of the Nayaya Panchayat of the circle, consisting of—

(a) two out of five members of the Bench who heard or decided the case, suit or proceeding,

(b) and the remaining members of the Nayaya Panchayat who were not members of the Bench who heard and decided the case, suit or proceeding, and the appeal shall be heard by such full Bench in the prescribed manner.

(2) Notwithstanding anything contained in sub-section (1) an appeal may be heard or decided by nine or more of the Panches of the full Bench of the circle and no hearing or decision shall be invalid merely because of the presence of only nine or more of the Panches at the hearing.

(3) The selection of two members out of the five of the Bench who heard and decided the case, suit or proceeding



for the purpose of the appeal mentioned in sub-section (1) of section 92 shall be made in the prescribed manner."

17. हिमाचल प्रदेश पंचायत राज ऐक्ट, 1952 (ऐक्ट नं० 6, 1953) की धारा 99 में संशोधन.—मूल अधिनियम की धारा 99 के स्थान पर निम्नलिखित धारा रखी जाए, अर्थात् :—

"99. *Constitution of Tehsil Panchayat and Zilla Panchayat.*—The State Government shall by notification establish a Tehsil Panchayat for each Tehsil or Sub-Tehsil and a Zilla Panchayat for each Zilla."

18. हिमाचल प्रदेश पंचायत राज ऐक्ट, 1952 (ऐक्ट नं० 6, 1953) की धारा 118 में संशोधन.—मूल अधिनियम की धारा 118 के खंड (f) में,—

(अ) शब्दों "or remove or suspend a member thereof" को हटा दिया जाए, और

(आ) शब्दों "Joint Committee, Nayaya Panchayat or a member has abused its or his position" के स्थान पर शब्द "Joint Committee or Nayaya Panchayat has abused its position" रखे जाएं।

19. हिमाचल प्रदेश पंचायत राज ऐक्ट, 1952 (ऐक्ट नं० 6, 1953) में धारा 118 के पश्चात् नई धाराओं का रखा जाना.—मूल अधिनियम की धारा 118 के पश्चात् निम्नलिखित धाराएं 118A तथा 118B के रूप में रखी जाएं, अर्थात् :—

"118A. *Suspension and removal of Presidents, Vice Presidents, and Members by the State Government.*—(1) The State Government may during the course of enquiry, suspend the President, Vice President or a Member of the Gram Panchayat, Tehsil Panchayat or Zilla Panchayat for any of the reasons for which he can be removed, and debar him from taking part in any act or proceeding of the said body during that period and order him to hand over the records, money or any property of the said body to the person authorized in this behalf.

(2) The State Government may, after such enquiry as it may deem fit after giving a reasonable opportunity of showing cause remove the President or Vice President or any Member of the Gram Panchayat, Tehsil Panchayat or Zilla Panchayat—

(a) if he refuses to act, or becomes incapable of acting, or is adjudged an insolvent; or

(b) if he, without reasonable cause, absents himself for more than ten consecutive weeks from the meetings of the Gram Panchayat, Tehsil Panchayat or Zilla Panchayat, as the case may be; or

(c) if he, in the opinion of the State Government or of the officer to whom the State Government has delegated

its powers of removal has been guilty of misconduct in the discharge of his duties; or

(d) if his continuance in office is, in the opinion of the State Government or of the officer to whom the State Government has delegated its powers of removal, is undesirable in the interest of the public; or

(e) if he incurs a disqualification under section 5 or section 12.

(3) A person who has been removed under sub-section (2) may be disqualified from re-election for such period not exceeding three years as the State Government may fix.

118B. *Nayaya Panchayat not affected by suspension of Gram Panchayat, etc.*—Notwithstanding anything contained in section 118 and section 118A the dissolution or suspension of a Gram Panchayat, Tehsil Panchayat or a Zilla Panchayat, shall not involve the dissolution or suspension of a Nayaya Panchayat unless the Nayaya Panchayat itself is specifically dissolved or suspended.”

20. हिमाचल प्रदेश पंचायत राज ऐक्ट, 1952 (ऐक्ट नं० 6, 1953) की अनुसूची 1 संशोधन.—प्ल अधिनियम को अनुसूची 1 में क्रमसंख्या 29 और 30 का जोड़ कर दिया जाए।

दिनांक, शिमला-4, 30 अक्टूबर, 1956

संख्या बी० ऐस० 89/56—गवर्नरमैट आफ पार्ट सी स्टेट ऐक्ट, 1951 की धारा 26 की उपधारा (2) के अधीन भारत के राष्ट्रपति महोदय ने दिनांक 29 अक्टूबर, 1956 को हिमाचल प्रदेश विधान सभा द्वारा पारित किए गए निम्नलिखित विधेयक पर स्वीकृति प्रदान कर दी है और उसे अब हिमाचल प्रदेश विधान सभा के प्रक्रिया नियमों के नियम 126 के अधीन सर्वसाधारण की सूचनार्थ इस अधिसूचना द्वारा प्रकाशित किया जाता है।

अधिनियम सं० 17, 1956

## हिमाचल प्रदेश कृषिक्षेत्र एकत्रीकरण (संशोधन) अधिनियम, 1956

हिमाचल प्रदेश कृषिक्षेत्र एकत्रीकरण अधिनियम, 1953 में संशोधन करने का अधिनियम

यह भारत गणतन्त्र के सातवें वर्ष में हिमाचल प्रदेश की विधान सभा द्वारा निम्नलिखित रूप में अधिनियमित किया जाए :—

1. संक्षिप्त नाम और प्रारम्भ.—(1) इस अधिनियम का नाम हिमाचल प्रदेश कृषिक्षेत्र एकत्रीकरण (संशोधन) अधिनियम, 1956 होगा।

(2) यह तुरन्त प्रचलित होगा।

2. हिमाचल प्रदेश कृषिक्षेत्र एकत्रीकरण अधिनियम, 1953 की धारा 26 में संशोधन.— (1) हिमाचल प्रदेश कृषिक्षेत्र एकत्रीकरण अधिनियम, 1953 की धारा 26 को उस धारा की उपधारा (1) के रूप में पुनः संख्यांकित किया जाए और इस प्रकार उपधारा (1) के रूप में पुनः संख्यांकित करने के पश्चात् निम्नलिखित उपधाराएं बढ़ा दी जायें, अर्थात्:—

“(2) धारा 3 के अधीन अधिसूचना जारी हो जाने के पश्चात् और विचाराधीन एकत्रीकरण कार्यवाहियों के दौरान ऐसा कोई भी व्यक्ति, जिस की भूमि पूर्वोक्त धारा 3 के अधीन अधिसूचित कर दी गई हो और जो विचाराधीन एकत्रीकरण कार्यवाहियों का विषय हो, कोई भी वृक्ष नहीं काटेगा, या उक्त भूमि पर स्थित किसी भी भवन या संरचना, या जलमार्ग या कूल या कुएं को नहीं गिराएगा या उक्त भवन, संरचना, जलमार्ग, कूल या कुएं की सामग्री या उक्त वृक्ष वहां से नहीं हटाएगा या नियोजित (appropriate) नहीं करेगा, या ऐसा कोई कार्य नहीं करेगा जो उक्त भूमि या वृक्ष, भवन, संरचना, जलमार्ग, कूल या कुएं को हानिकर हो या जो उनकी उपादेयता या बाजार भाव कम कर दे।

स्पष्टीकरण.—धारा 26 की उपधारा (2) में वर्णित शब्द “व्यक्ति” के अन्तर्गत हैं, उस व्यक्ति की स्पष्ट या उपलक्षित (implied) उत्तेजना या इच्छा पर धारा 26 की उपधारा (2) में वर्णित कार्य करने वाले उसके परिवार के सदस्य, नौकर या अभिकर्ता या अन्य कोई व्यक्ति।

(3) जो कोई भी धारा 26 की उपधारा (2) के उपबन्धों का उल्लंघन करेगा वह उक्त उल्लंघन द्वारा हुए घाटे या हानि की राशि की दुगुनी राशि तक चुकाने का भागी होगा।

(4) घाटे या हानि की राशि बन्दोबस्त अधिकारी (एकत्रीकरण) द्वारा निर्धारित की जाएगी। यदि किसी व्यक्ति को बन्दोबस्त अधिकारी (एकत्रीकरण) के आदेश से पीड़ा पहुंचे हो तो वह आदेश के दिनांक से तीस दिन के भीतर निर्देशक एकत्रीकरण (कृषिक्षेत्र) (Director of Consolidation of Holdings) के पास अपील कर सकेगा।

(5) यदि बन्दोबस्त अधिकारी (एकत्रीकरण) द्वारा नियत अवधि के मध्य निर्धारित राशि नहीं चुकाई जाती, तो वह राशि धारा 25 में व्यवस्थित रीति के अनुसार भूराजस्व के बकाया की भांति वसूलीयोग्य राशि हो जाएगी।”

दिनांक, शिमला-4, 30 अक्तूबर, 1956

संख्या दी० एस० 90/56.— गवर्नमेंट आफ पार्ट सी स्टेट ऐक्ट, 1951 की धारा 26 की उपधारा 2 के अधीन भारत के राष्ट्रपति महोदय ने दिनांक 29 अक्तूबर, 1956 को हिमाचल प्रदेश विधान सभा द्वारा पारित किए गए निम्नलिखित विधेयक पर स्वीकृति प्रदान कर दी है और उसे अब हिमाचल प्रदेश विधान सभा के प्रक्रिया नियमों के नियम 126 के अधीन सर्वसाधारण की सूचनार्थ इस अधिसूचना द्वारा प्रकाशित किया जाता है।

अधिनियम सं० 18, 1956

**हिमाचल प्रदेश सहकारी सभा (संशोधन) अधिनियम, 1956**

हिमाचल प्रदेश सहकारी सभा अधिनियम, 1956 में संशोधन करने का

**अधिनियम**

यह भारत गणतन्त्र के सातवें वर्ष में हिमाचल प्रदेश की विधान सभा द्वारा निम्नलिखित रूप में अधिनियमित किया जाए :—

1. संक्षिप्त नाम और प्रारम्भ.—(1) इस अधिनियम का नाम हिमाचल प्रदेश सहकारी सभा (संशोधन) अधिनियम, 1956 होगा।

(2) यह तुरन्त प्रचलित होगा।

2. हिमाचल प्रदेश सहकारी सभा अधिनियम, 1956 (अधिनियम संख्या 13, 1956) में से धारा 66 का निकाला जाना.—हिमाचल प्रदेश सहकारी सभा अधिनियम, 1956 (अधिनियम संख्या 13, 1956) की धारा 66 निकाल दी जाए।

दिनांक, शिमला-4, 30 अक्तूबर, 1956

संख्या बी० एस० 91/56.—गवर्नमेंट आफ पार्ट सी स्टेट, ऐक्ट 1951 की धारा 26 की उपधारा (2) के अधीन भारत के राष्ट्रपति महोदय ने दिनांक 29 अक्तूबर, 1956 को हिमाचल प्रदेश विधान सभा द्वारा पारित किए गए निम्नलिखित विधेयक पर स्वीकृति प्रदान कर दी है और उसे अब हिमाचल प्रदेश विधान सभा के प्रक्रिया नियमों के नियम 126 के अधीन सर्वसाधारण की सूचनार्थ इस अधिसूचना द्वारा प्रकाशित किया जाता है।

अधिनियम सं० 19, 1956

**पंजाब टबाको बॅंड फीज (हिमाचल प्रदेश संशोधन) अधिनियम, 1956**

पंजाब टबाको बॅंड फीज ऐक्ट, 1934 की बिलासपुर जिले में प्रयुक्ति के लिये उसमें संशोधन करने का अधिनियम

यह भारत गणतन्त्र के सातवें वर्ष में हिमाचल प्रदेश की विधान सभा द्वारा निम्नलिखित रूप में अधिनियमित किया जाये :—

1. संक्षिप्त नाम, प्रसार तथा प्रारम्भ.—(1) इस अधिनियम का नाम पंजाब टबाको बॅंड फीज ऐक्ट (हिमाचल प्रदेश संशोधन) अधिनियम, 1956 होगा।

(2) इसका प्रसार हिमाचल प्रदेश के जिला बिलासपुर में होगा।

(3) यह उस दिनांक से प्रचलित होगा, जिसे राज्यशासन इस हेतु राजपत्र में अधिसूचना द्वारा नियत करे।

2. पंजाब बैंड फीज ऐक्ट, 1934, जैसा कि वह बिलासपुर जिले में प्रयुक्त है, उसकी धारा 1 में संशोधन.—(1) पंजाब टबाको बैंड फीज ऐक्ट जैसा कि वह बिलासपुर जिले में प्रयोज्य है; उसकी धारा 1 की उपधारा (1) के पश्चात् उपधारा (2) के रूप में निम्नलिखित रखा जाये, अर्थात् :—

(2) It shall extend to all Municipalities, Notified Areas, Small Towns, Cantonments and Railway Stations.

लक्ष्मण दास,  
सचिव ।

## LAW DEPARTMENT

### NOTIFICATIONS

Simla-4, the 30th October, 1956

No. I.R. 1-69/56.—In pursuance of section 33A of the Government of Part 'C' States Act, 1951, the Lieutenant Governor, Himachal Pradesh, is pleased to order the publication of the following English translation of "Himachal Pradesh Jal Praday Adhiniyam, 1956", (The Himachal Pradesh Water Supply Act, 1956) as passed by the Himachal Pradesh Vidhan Sabha and assented to by the President on the 29th October, 1956.

Act No. 15 of 1956.

# The Himachal Pradesh Water Supply Act, 1956

(AUTHORISED TEXT)

AN

ACT

*to provide for the development, control and management of the Water Supply Works in rural and urban areas of Himachal Pradesh*

BE it enacted by the Legislative Assembly of Himachal Pradesh in the Seventh Year of the Republic of India as follows:

1. **Short title, extent and commencement.**—(1) This Act may be called the Himachal Pradesh Water Supply Act, 1956.

(2) It extends to the whole of Himachal Pradesh.

(3) It shall come into force on such date as the State Government may, by notification in the Official Gazette, appoint in this behalf.

2. **Definitions.**—In this Act unless there is anything repugnant in the subject or context,—

(i) 'Beneficiary' means in respect of any water supply scheme, any local authority for the time being deriving, or which is to derive, benefit from such scheme;

(ii) 'Consumer' means a person who takes water from a beneficiary to whom a water supply scheme may be entrusted or who takes water from a water supply scheme managed directly by the Government;

*Explanation.*—Consumer does not include a beneficiary.

(iii) 'Co-operative Society' means a society registered under the provisions of the Himachal Pradesh Co-operative Societies Act, 1956;

(iv) 'Gazette' means Himachal Pradesh Gazette;

- (v) 'Government or State Government' means the Lieutenant Governor of Himachal Pradesh;
- (vi) 'Gram Sabha', 'Tehsil Panchayat' and 'Zilla Panchayat' have the meanings respectively assigned to these words in the Himachal Pradesh Panchayat Raj Act, 1952;
- (vii) 'Local Authority' means a Co-operative Society, Gram Sabha, Tehsil Panchayat, Zilla Panchayat, Municipal Committee, Small Town Committee, Notified Area Committee, or any other authority entrusted by the Government with the development, control or management of a Water Supply Scheme;
- (viii) 'Municipal Committee' and 'Notified Area Committee' have the meanings respectively assigned to these words in the Punjab Municipal Act, 1911, as applicable to Himachal Pradesh;
- (ix) 'Prescribed' means prescribed by Rules under this Act;
- (x) 'Rural Area' means the whole of the territories of Himachal Pradesh with the exclusion of the urban area;
- (xi) 'Scheme' means a Water Supply Scheme initiated under section 3;
- (xii) 'Small Town Committee' has the meaning assigned to it in the Punjab Small Towns Act, 1921, as applicable to Himachal Pradesh;
- (xiii) 'Urban Area' means the towns specified in the schedule;
- (xiv) 'Water Rate' means the charge for the time being levied or that may be levied in future for water supplied to a consumer by a Water Supply Scheme managed directly by the Government or by a beneficiary to whom the scheme may be entrusted.

**3. Water Supply Scheme.**—The State Government may from time to time initiate Drinking Water Supply Scheme for the benefit of the public in rural and urban areas in Himachal Pradesh and may also maintain and improve the existing water supplies.

**4. Recovery of cost.**—(1) The State Government shall, in the first instance, spend the entire amount on all the schemes and on the improvement of the existing water supplies in Himachal Pradesh and shall recover from the beneficiaries or consumers, as the case may be, in the manner hereinafter provided;

(a) 25 per cent of the capital cost and interest thereon in respect of Urban Water Supply Schemes;

(b) 12½ per cent of the capital cost and the interest thereon in respect of Rural Water Supply Schemes.

(2) The cost of maintenance and replacements of a Water Supply Scheme shall also be recovered by the State Government from the beneficiaries or consumers, as the case may be, and in the manner hereinafter provided.

(3) The rate of interest on the capital cost may be determined by the State Government from time to time.

**5. Levy of water rates.**—(1) The State Government shall levy a water rate from time to time to recover the capital cost, as specified in clauses (a) and (b) of subsection (1) of section 4, and the cost of maintenance and replacements and interest thereon, and such water rate shall be payable by the consumer in whose name the connection is registered:

Provided that the water rate shall not exceed Re. 1 per thousand gallons of water for domestic use and Rs. 2 per thousand gallons of water for commercial use:

Provided further that the water rate in the case of pumped water supply may be double of the water rate mentioned in proviso 1.

(2) The water rate shall be levied in consultation with a Committee appointed for this purpose by the State Government in the prescribed manner.

(3) The water rate levied shall, if not paid when due, be recovered as if it were an arrear of land revenue.

**6. Handing over of Water Supply Schemes.**—(1) Where a local authority is prepared to take over and maintain any scheme as a beneficiary, the State Government shall hand over the development, management or control of such scheme to such local authority provided that it deposits with the Government its share of capital cost and interest thereon payable under clauses (a) and (b) of sub-section (1) of section 4, as the case may be, and cost of maintenance and replacement payable under sub-section (2) of section 4, as worked out and due on the date of handing over.

(2) The local authority, which takes over a scheme under sub-section (1) of this section, shall fix water rate as it considers necessary and shall be responsible for the efficient management of such a scheme.

(3) The water rate that the local authority may fix shall in no case exceed the maximum as provided in proviso I and proviso II of sub-section (1) of section 5.

(4) The water rate levied by the State Government, if any, shall cease to have effect on the fixation of such rate by the local authority.

**7. General control by the State Government.**—(1) All schemes taken over by beneficiaries under section 6 shall be subject to the general superintendence and control of the State Government and the working of the schemes shall be liable to periodical inspection by an agency of the State Government in the prescribed manner.

(2) Should a beneficiary be incompetent to perform, or persistently make default in the performance of the duties imposed on it by or under this Act, or exceed or abuse its powers, or fail or neglect to maintain the scheme in an efficient manner, the State Government may, by notification in which the reasons for so doing shall be stated, take back the development, management or control of the scheme from the beneficiary:

Provided that before the notification mentioned in sub-section (2) is made the beneficiary shall be given a reasonable opportunity in the prescribed manner of showing cause against the action proposed to be taken.

(3) When the development, management and control is so taken back, the following consequences shall ensue:—

(a) the development, management and control of the scheme shall, from the date of the notification, vest in the State Government;

(b) the water rate levied by the beneficiary shall continue to be operative until substituted by a fresh water rate fixed by the State Government.

(4) The State Government shall review the position, at such intervals as may be prescribed, but which shall not be less than one year, and may, if it shall think fit, at any time re-entrust the scheme to the beneficiary.

**8. Liability of Consumer.**—(1) Any consumer who has a water connection registered in his name shall be liable to pay a water rate to the beneficiary in case a scheme has been handed over to that beneficiary for development, management and control of a water supply scheme.

(2) In case there is no beneficiary and a Water Supply Scheme is managed by the State Government directly, the consumer shall be liable to pay the water rate to the State Government.

**9. Powers of State Government to modify the schedule.**—The State Government shall have the power to add, to amend, vary or rescind the schedule.

**10. Offences under Act.**—(1) Whoever, without proper authority, and voluntarily, does any of the following acts, that is to say,—

- (a) corrupts or fouls the water of any water supply scheme so as to render it less fit for the purpose for which it is ordinarily used;
- (b) destroys, damages, alters, obstructs or injures, any dam, well, embankment, sluice, reservoir, pipe, tap, structure, or other works constructed, maintained or controlled by the State Government or by a beneficiary for purification, storage or supply of water under a water supply scheme;
- (c) violates any rule made under this Act, for breach whereof a penalty may be incurred, shall be liable, on conviction before a Magistrate of such class as the State Government directs in this behalf in the prescribed manner, to a fine not exceeding fifty rupees, or to imprisonment not exceeding one month, or to both.

(2) Nothing herein contained shall prevent any person from being prosecuted under any other law for any offence punishable under this Act provided that no person shall be punished twice for the same offence.

(3) Nothing herein contained shall prevent the State Government or the beneficiary, as the case may be, from recovering damages from the person who commits any of the acts mentioned in sub-section (1) of section 10.

**11. Power to make rules.**—(1) The State Government may make rules for carrying out the purposes of this Act.

(2) In particular and without prejudice to the generality of the foregoing power, such rules may prescribe for:—

- (a) the principles and conditions on which the schemes under section 3 shall be initiated;
- (b) the time and manner of the recovery of capital cost under section 4;
- (c) appointment of a Committee under section 5;
- (d) matters required to be considered by the Committee appointed under section 5 for ensuring the efficient management by the beneficiary of Water Supply Schemes under section 6, and
- (e) any other matter which is to be or may be prescribed.

#### SCHEDULE

##### Mahasu District

Theog, Rampur, Solan, Jubbal and Arki.

##### Sirmur District

Nahan, Sarahan, Paonta, Majra and Rajgarh.

##### Chamba District

Chamba, Bharmaur, Chowari, Tissa and Bhandal.

##### Mandi District

Mandi, Jogindernagar, Sarkaghat, Sundernagar and Karsog.

##### Bilaspur District

Bilaspur and Ghumarwin.



*Simla-4, the 30th October, 1956*

**No. LR. 1-74/56.**—In pursuance of section 33 A of the Part 'C' States Act, 1951, the Lieutenant Governor, Himachal Pradesh, is pleased to order the publication of the following English translation of "Himachal Pradesh Panchayat Raj" (Sanshodhan) Adhiniyam, 1956 (The Himachal Pradesh Panchayat Raj (Amendment) Act, 1956) as passed by the Himachal Pradesh Vidhan Sabha and assented to by the President on the 29th October, 1956.

Act No. 16 of 1956

## The Himachal Pradesh Panchayat Raj (Amendment) Act, 1956

(AUTHORISED TEXT)

AN

ACT

*to amend the Himachal Pradesh Panchayat Raj Act, 1952*

BE it enacted by the Legislative Assembly of Himachal Pradesh in the Seventh Year of the Republic of India as follows:—

**1. Short title and commencement.**—(1) This Act may be called the Himachal Pradesh Panchayat Raj (Amendment) Act, 1956.

(2) It shall come into force at once.

**2. Amendment of section 12 of the Himachal Pradesh Panchayat Raj Act, 1952.**—

(1) In the proviso to sub-section (3) of section 12 of the Himachal Pradesh Panchayat Raj Act, 1952 (hereinafter referred to as the principal Act), for the word "elected" the words "co-opted or elected as the case may be" shall be substituted.

(2) After sub-section (3) of section 12 of the principal Act, the following sub-section shall be inserted as sub-section 3A, namely:—

"(3A) A casual vacancy in the office of a member of the Gram Panchayat arising by reason of his death, removal or resignation shall be filled for the unexpired portion of his term in the prescribed manner."

**3. Amendment of section 14 of the Himachal Pradesh Panchayat Raj Act, 1952 (Act VI of 1953).**—For section 14 of the principal Act the following shall be substituted, namely:—

"14. *Removal of President, Vice-President or Member of the Gram Panchayat.*—(1) The Gram Sabha may, at any general meeting, remove the President, Vice President or a Member of the Gram Panchayat by a majority of two-thirds of those present:

Provided that a previous notice of the resolution is given as prescribed.

(2) If a Member of the Gram Panchayat fails to attend three consecutive meetings of the Gram Panchayat, without sufficient cause, he may be removed from membership by the prescribed authority.

(3) No person mentioned in sub-section (1) shall be removed unless he has been given a reasonable opportunity of showing cause against his removal in the prescribed manner."

**4. Insertion of new sections 37A, 37B, 37C, 37D, 37E, 37F, 37G, 37H in the Himachal Pradesh Panchayat Raj Act, 1952 (Act VI of 1953).**—After section 37 of the principal Act, the following sections shall be inserted, namely:—

"37 A. *Application for compromise of civil dispute or for composition of*

*criminal case.*—An application for the compromise of a civil dispute or the composition of a criminal case which is compoundable without the permission of the court under the provisions of the Code of Criminal Procedure, 1898, shall be made in the prescribed form to the Gram Panchayat of the area within the local limits of whose jurisdiction the defendant or the accused, as the case may be, resides.

- 37B. *Constitution of a Samjhauta Samiti.*—On receipt of such an application the Pradhan or in his absence Up-Pradhan of the Panchayat shall, in the prescribed manner, constitute a committee to be called Samjhauta Samiti of not less than three and more than five members including himself.
- 37C. *Procedure.*—The Samjhauta Samiti shall fix a date on which the parties shall appear and shall make such further enquiries as may be necessary and as may be prescribed.
- 37D. *Certification of the settlement or otherwise.*—The Samjhauta Samiti shall, after hearing the parties, make efforts to bring about an agreed settlement of the case, and if a settlement is reached, it shall be recorded in writing, signed by the parties, and attested by the Pradhan of the Samjhauta Samiti. If no settlement is reached within three months, the Samiti shall give a certificate to this effect to the parties giving the date of the institution of the application and the date of final certificate.
- 37E. *Certificate and its effect.*—(1) A settlement in a civil dispute duly certified under section 37D shall be filed in a Nayaya Panchayat of the Gram Sabha area and shall have the effect of a decree of the Nayaya Panchayat and shall be enforced in the same manner as a decree of the Nayaya Panchayat.
- (2) A settlement in a criminal case duly certified under section 37D shall be conclusive evidence of the composition of the said case.
- 37F. *Fee.*—An applicant under section 37A shall pay the prescribed fee, and the Court Fees Act, 1870 shall not apply to application and proceedings before Samjhauta Samiti except to such extent as may be prescribed.
- 37G. *Powers of Samjhauta Samiti.*—A Samjhauta Samiti shall have all the powers of a Nayaya Panchayat under section 91.
- 37H. *Imposition of costs.*—If a party to a civil dispute or a case after having due information of the date fixed for hearing, fails to attend or fails to produce evidence or document, a Samjhauta Samiti may impose such costs against that party, as may be prescribed, and the order regarding cost shall be enforced as a decree of a Nayaya Panchayat.”

5. **Insertion of section 42A in the Himachal Pradesh Panchayat Raj Act, 1952 (Act VI of 1953).**—After section 42 of the principal Act the following section shall be inserted, namely,—

“42A. *Commutation of tax by labour.*—A Gram Panchayat may, with the consent of the person by whom any tax is payable under this Act, commute the payment into a contribution of labour, not exceeding twenty four units of labour in any one year, at such intervals, for such period of time and on such conditions as may be prescribed.

*Explanation.*—One unit of labour means four hours of manual labour.”

**6. Amendment of section 48 of the Himachal Pradesh Panchayat Raj Act, 1952 (Act VI of 1953).—**For section 48 of the principal Act the following section shall be substituted, namely:—

“48. *Constitution of Nayaya Panchayat.*—Every Gram Sabha in a circle shall in the prescribed manner, select fifteen members of prescribed qualifications ordinarily residing within its jurisdiction to be members of the Nayaya Panchayat of that Gram Sabha area and the members so selected shall work as Panches of the Nayaya Panchayat:

Provided that at least one-fifth of the persons selected by the Gram Sabha shall be such as are able to record proceedings in Hindi:

Provided further that no member of the Gram Panchayat shall be eligible for selection as a member of the Nayaya Panchayat unless he has resigned from the Gram Panchayat before the said selection.”

**7. Amendment of section 49 of the Himachal Pradesh Panchayat Raj Act, 1952 (Act VI of 1953).—**In section 49 of the principal Act.—

(i) for the word “nominated” the word “selected” shall be substituted;

(ii) for the words “a person, who shall act as Sarpanch of the Nayaya Panchayat” the words “for the Nayaya Panchayat a Sarpanch or one or more Naib Sarpanches as may be prescribed” shall be substituted.

**8. Amendment of section 50 of the Himachal Pradesh Panchayat Raj Act, 1952 (Act VI of 1953).—**In section 50 of the Principal Act for the word “nomination” the word “selection” shall be substituted.

**9. Amendment of section 51 of the Himachal Pradesh Panchayat Raj Act, 1952 (Act VI of 1953).—**In section 51 of the principal Act.—

(i) for the word “nominated” the word “selected” shall be substituted;

(ii) for the word “nomination” the word “selection” shall be substituted.

**10. Amendment of section 53 of the Himachal Pradesh Panchayat Raj Act, 1952 (Act VI of 1953).—**(1) In sub-section (1) of section 53 of the principal Act the following words shall be added at the end, namely:—

“provided that no such Panch shall be removed unless he has been given a reasonable opportunity of showing cause against his removal.”

(2) In sub-section (2) of section 53 of the principal Act for the word “re-nominated” the word “re-selected” shall be substituted.

**11. Amendment of section 54 of the Himachal Pradesh Panchayat Raj Act, 1952 (Act VI of 1953).—**For section 54 of the principal Act, the following section shall be substituted, namely:—

“54. *Constitution of Benches.*—(1) The Sarpanch, and in his absence the Naib Sarpanch or any other Panch approved by the Sarpanch to act in this behalf, shall form Benches of five members each for the trial of cases, suits or proceedings and cases, suits or proceeding, shall be allotted in the prescribed manner to each bench for trial and decision.

- (2) Atleast one of the Panches for each Bench shall be a person who is able to record evidence and proceedings in Hindi.
- (3) Every Bench shall be presided over by a Sarpanch or a Naib Sarpanch.
- (4) No Panch or Sarpanch or Naib Sarpanch shall take part in any case, suit or proceedings to which he or his near relation, employers or employee or partner in business is a party or in which any of them is personally interested.

*Explanation.*—‘Near relation’ means father, grand father, father-in-law, maternal or paternal uncle, son, grand son, son-in-law, brother, nephew, brother-in-law, wife, sister, sister’s husband, mother, daughter, mother-in-law and daughter-in-law.

- (5) A suit, case or proceedings may be tried, heard or decided by any three or more of the five Panches of the Bench and no trial, hearing or decision shall be invalid merely because only three or four of the Panches were present at the trial.
- (6) Where more than two of the Panches of each regular Bench cannot hear a case, suit or proceeding in view of the provisions of sub-section (4), the Sarpanch or in his absence the Naib Sarpanch authorized by the Sarpanch in this behalf will form a special Bench of five Panches for the trial.
- (7) Notwithstanding anything in this section the State Government may by rules prescribe the constitution of a special Bench for determining any dispute arising between any parties or Gram Sabhas of the same circle or different circles or for any other purpose.”

**12. Insertion of section 55A in Himachal Pradesh Panchayat Raj Act, 1952 (Act VI of 1953).**—After section 55 of the principal Act the following section shall be inserted, namely:—

“55A.—*Entertainment of a civil suit or a criminal case.*—The Nayaya Panchayat shall not entertain a civil suit or a criminal case unless an application under section 37A has been filed before the Gram Panchayat and until three months have expired since the filing of the application.”

**13. Amendment of section 56 of the Himachal Pradesh Panchayat Raj Act, 1952 (Act VI of 1953).**—In sub-section (2) of section 56 of the principal Act for the word “circle” wherever it occurs the words “Gram Sabha Area” may be substituted.

**14. Amendment of section 58 of the Himachal Pradesh Panchayat Raj Act, 1952 (Act VI of 1953).**—In sub-section (2) of section 58 of the principal Act, the proviso shall be omitted.

**15. Amendment of section 71 of the Himachal Pradesh Panchayat Raj Act, 1952 (Act VI of 1953).**—In the proviso to section 71 of the principal Act between the words “in any court” and “shall be excluded” the words “or any Samjhauta Samiti” shall be inserted.

**16. Amendment of section 92 of the Himachal Pradesh Panchayat Raj Act, 1952 (Act VI of 1953).**—For section 92 of the principal Act, the following section may be substituted, namely:—

“92. *Appeal.*—(1) Any person aggrieved by an order or decision of a Bench of the Nayaya Panchayat may appeal in the prescribed manner and within a period of thirty days from the date of such order or

decision to the full Bench of the Nayaya Panchayat of the circle consisting of:—

- (a) two out of five members of the Bench who heard or decided the case, suit or proceeding,
- (b) and the remaining members of the Nayaya Panchayat who were not members of the Bench who heard and decided the case, suit or proceeding, and the appeal shall be heard by such full Bench in the prescribed manner.
- (2) Notwithstanding anything contained in sub-section (1) an appeal may be heard or decided by nine or more of the Panches of the full Bench of the circle and no hearing or decision shall be invalid merely because of the presence of only nine or more of the Panches at the hearing.
- (3) The selection of two members out of the five of the Bench who heard and decided the case, suit or proceeding for the purpose of the appeal mentioned in sub-section (1) of section 92 shall be made in the prescribed manner."

**17. Amendment of section 99 of the Himachal Pradesh Panchayat Raj Act, 1952 (Act VI of 1953).—**For section 99 of the principal Act, the following section shall be substituted, namely:—

"99. *Constitution of Tehsil Panchayat and Zilla Panchayat.*—The State Government shall by notification establish a Tehsil Panchayat for each Tehsil or Sub-Tehsil and a Zilla Panchayat for each Zilla."

**18. Amendment of section 118 of the Himachal Pradesh Panchayat Raj Act, 1952 (Act VI of 1953).—**In clause (f) of section 118 of the principal Act.—

- (i) The words "or remove or suspend a member thereof" shall be omitted, and
- (ii) For the words "joint committee, Nayaya Panchayat or a member has abused its or his position" the words "joint committee or Nayaya Panchayat has abused its position" shall be substituted.

**19. Insertion of new sections after section 118 in the Himachal Pradesh Panchayat Raj Act, 1952 (Act VI of 1953).—**After section 118 of the principal Act, the following section shall be inserted as section 118A and section 118B, namely:—

"Section 118A.—*Suspension and removal of Presidents, Vice Presidents and Members by the State Government.*—(1) The State Government may, during the course of enquiry, suspend the President, Vice President or a Member of the Gram Panchayat, Tehsil Panchayat or Zilla Panchayat for any of the reasons for which he can be removed, and debar him from taking part in any act or proceeding of the said body during that period and order him to hand over the records, money or any property of the said body to the person authorized in this behalf.

- (2) The State Government may, after such enquiry as it may deem fit after giving a reasonable opportunity of showing cause remove the President or Vice President or any member of the Gram Panchayat, Tehsil Panchayat or Zilla Panchayat—

- (a) if he refuses to act, or becomes incapable of acting, or is adjudged an insolvent; or
- (b) if he without reasonable cause, absents himself for more than ten consecutive weeks from the meetings of the Gram Panchayat, Tehsil Panchayat or Zilla Panchayat, as the case may be; or
- (c) if he, in the opinion of the State Government or of the officer to whom the State Government has delegated its power of removal, has been guilty of misconduct in the discharge of his duties; or

(d) if he is continuance in office is, in the opinion of the State Government or of the officer to whom the State Government has delegated its powers of removal is undesirable in the interest of the public; or

(e) if he incurs a disqualification under section 5 or section 12.

(3) A person who has been removed under sub-section (2) may be disqualified from re-election for such period not exceeding three years as the State Government may fix.

118B. *Nayaya Panchayat not affected by suspension of Gram Panchayat, etc.*—Notwithstanding anything contained in section 118 and section 118A the dissolution or suspension of a Gram Panchayat, Tehsil Panchayat or a Zilla Panchayat, shall not involve the dissolution or suspension of a Nayaya Panchayat unless the Nayaya Panchayat itself is specifically dissolved or suspended."

20. **Amendment of Schedule I to Himachal Pradesh Panchayat Raj Act, 1952 (Act VI of 1953).**—In Schedule I to the principal Act items Nos. 29 and 30 shall be omitted.

Simla-4, the 30th October, 1956

No. LR. 1-71/56.—In pursuance of Part "C" States Act, 1951, the Lieutenant Governor of Himachal Pradesh is pleased to order the publication of the following English translation of 'Himachal Pradesh Krishi Ekatrikaran (Sanshodhan) Adhiniyam 1956' (The Himachal Pradesh Consolidation of Holdings (Amendment) Act, 1956) as passed by the Himachal Pradesh Vidhan Sabha and assented to by the President on the 29th October, 1956.

Act No. 17 of 1956

## The Himachal Pradesh Consolidation of Holdings (Amendment) Act, 1956

(AUTHORISED TEXT)

AN

ACT

*to amend the Himachal Pradesh Consolidation of Holdings Act, 1953*

BE it enacted by the Legislative Assembly of Himachal Pradesh in the Seventh Year of the Republic of India as follows:—

1. **Short title and commencement.**—(1) This Act may be called the Himachal Pradesh Consolidation of Holdings (Amendment) Act, 1956.

(2) It shall come into force at once.

2. **Amendment of Section 26 of the Himachal Pradesh Consolidation of Holdings Act, 1953.**—(1) Section 26 of the Himachal Pradesh Consolidation of Holdings Act, 1953, shall be re-numbered as sub-section (1) of that Section and after sub-section (1) is so re-numbered, the following sub-sections shall be inserted, namely:—

"(2) After a notification under section 3 has been published and during the pendency of the consolidation proceedings no person, whose land has been notified under Section 3 aforesaid and which is the subject matter of a pending consolidation proceedings, shall cut any tree or demolish any building or structure or water course or water channel or well standing on such land, or remove or appropriate

such trees or materials of such building, structure, water course, water channel or well, or commit any act which is detrimental to or which may diminish the utility or market value of any such land or tree, building, structure, water course, water channel or well.

*Explanation:—*The word 'person' mentioned in sub-section (2) of Section 26 includes his family members, servant, or agent or any person who commits the acts mentioned in sub-section (2) of Section 26 at the instigation or desire, express or implied, of such person.

(3) Whoever contravenes the provisions of sub-section (2) of Section 26 shall be liable to pay an amount which may extend up to twice the amount of loss or damage caused by such contravention.

(4) The quantum of loss or damage shall be assessed by the Settlement Officer Consolidation and an assessment so made shall be final.

(5) The amount assessed, if not paid within the period fixed by the Settlement Officer Consolidation, shall become recoverable as an arrear of land revenue as provided for in Section 25."

*Simla-4, the 30th October, 1956*

**No. LR. 1-73/56.**—In pursuance of Part 'C' States Act, 1951, the Lieutenant Governor, Himachal Pradesh, is pleased to order the publication of the following English translation of 'Himachal Pradesh Sahkari Sabha (San'hodhan) Adhiniyam. 1956, (The Himachal Pradesh Co-operative Societies (Amendment) Act, 1956) as passed by the Himachal Pradesh Vidhan Sabha and assented to by the President on the 29th October, 1956.

**Act No. 18 of 1956**

## **The Himachal Pradesh Co-operative Societies (Amendment) Act, 1956**

(AUTHORISED TEXT)

AN

ACT

*to amend the Himachal Pradesh Co-operative Societies Act, 1956*

BE it enacted by the Legislative Assembly of Himachal Pradesh in the Seventh Year of the Republic of India as follows:—

**1. Short title and commencement.**—(1) This Act may be called the Himachal Pradesh Co-operative Societies (Amendment) Act, 1956.

(2) It shall come into force at once.

**2. Omission of Section 66 of the Himachal Pradesh Co-operative Societies Act, 1956 (Act XIII of 1956).**—Section 66 of the Himachal Pradesh Co-operative Societies Act, 1956 (Act XIII of 1956) shall be omitted.

*Simla-4, the 30th October, 1956*

**No. LR. 1-72/56.**—In pursuance of section 33A of the Part 'C' States Act, 1951, the Lieutenant Governor, Himachal Pradesh, is pleased to order the publication of



the following English translation of "Punjab Tobacco Vend Fees (Himachal Pradesh Sanshodhan) Adhiniyam", 1956, (The Punjab Tobacco Vend Fees (Himachal Pradesh Amendment) Act, 1956, as passed by the Himachal Pradesh Vidhan Sabha and assented to by the President on the 29th October, 1956.

Act No. 19 of 1956

## The Punjab Tobacco Vend Fees (Himachal Pradesh Amendment) Act, 1956

(AUTHORISED TEXT)

AN

ACT

*to amend the Punjab Tobacco Vend Fees Act, 1934, in its application to Bilaspur District*

BE it enacted by the Legislative Assembly of Himachal Pradesh in the Seventh Year of the Republic of India as follows:—

1. Short title, extent and commencement.—(1) This Act may be called the Punjab Tobacco Vend Fees (Himachal Pradesh Amendment) Act, 1956.

(2) It extends to the Bilaspur District of Himachal Pradesh.

(3) It shall come into force on such date as the State Government may, by a notification in the Official Gazette, appoint in this behalf.

2. Amendment of Section 1 of the Punjab Tobacco Vend Fees Act, 1934, as applied to Bilaspur District.—(1) After sub-section (1) of Section 1 of the Punjab Tobacco Vend Fees Act, 1934, as applicable to the District of Bilaspur, the following shall be inserted as sub-section (2), namely:—

(2) It shall extend to all Municipalities, Notified Areas, Small Towns, Cantonments and Railway Stations.

By order  
LAKSHMAN DAS, S.  
Assistant Secretary (Judicial).